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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,501	02/19/2004	Sean Zhou	CA920030052US1	5648

7590 08/10/2006

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EXAMINER

ORTIZ, BELIX M

ART UNIT	PAPER NUMBER
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2164

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/782,501	Applicant(s) ZHOU ET AL.	
	Examiner Belix M. Ortiz	Art Unit 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/19/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-22 are rejected under 35 U.S.C. 103(a) (Eff. Filing date of foreign Application 6/26/2003) as being unpatentable over Macklin (U.S. Pub. 2003/0014237) (Eff. Filing date of application 7/13/2001) in view of Travieso et al. (U.S. Pub. 2004/0168132) (Eff. Filing date of Provisional application 2/21/2003).

As to claims 1, 12, and 21-22, Macklin teaches a method, a system, and a computer readable medium of translating translatable components in a structured file (see abstract), comprising:

(ii) effecting translation of said identified translatable components from said source language to a selected destination language so as to generate corresponding translated components (see abstract and paragraphs 5, 7, and 17); and

(iii) generating a new translated file having substantially the same structure as said structured file and having said translated components in place of said translatable components (see paragraphs 51 and 53-54).

Macklin does not teach (i) parsing said structured file to identify said translatable components and a source language.

Travieso et al. teaches analyzing web site for translation (see abstract), in which he teaches (i) parsing said structured file to identify said translatable components and a source language (see abstract and paragraphs 11 and 46).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Macklin by the teaching of Travieso et al., because (i) parsing said structured file to identify said translatable components and a source language, would enable the method because, “The translation server 400 parses each incoming HTML page into translatable components, substitutes each incoming translatable component with an appropriate translated component, and returns the translated web page back to the online user 416. Page conversion is performed on the fly each time an online user 416 requests a page in the second or alternate language. When a web page is received for conversion, the translation server 400 will translate the page if enough translated content is available to meet a customer specified translation threshold. If this is not the case, then the page will be returned in the first or original language”, (see paragraph 46).

As to claim 2, Macklin as modified teaches wherein (i) comprises searching for an identifier which identifies each translatable component (see Travieso et al., abstract and paragraph 11).

As to claims 3 and 13, Macklin as modified teaches wherein said identifier is a prefix (see Travieso et al., paragraphs 94 and 125).

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As to claim 4, Macklin as modified teaches wherein (i) comprises identification of said prefix using a parser (see Travieso et al., paragraph 46 and 56).

As to claim 5, Macklin as modified teaches the method further comprising extracting said identified translatable components into an isolated file for effecting translation in (ii) of said translatable components to said translated components (see Macklin, paragraph 54).

As to claims 6 and 16, Macklin as modified teaches wherein said structured file, after extraction of said identified translatable components, comprises a skeleton file (see Travieso et al., figure 4, character 406).

As to claims 7 and 17, Macklin as modified teaches wherein (iii) comprises merging said skeleton file and said translated components in said isolated file (see Macklin, paragraph 54).

As to claim 8, Macklin as modified teaches wherein said structured file is an XML file, and said translatable components comprise translatable element and attribute values (see Macklin, paragraph 41).

As to claims 9 and 18, Macklin as modified teaches wherein (i) comprises utilizing a structure definition file corresponding to said structured file to identify said translatable components, said structure definition file containing identification information for said

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translatable components in said structured file (see Travieso et al., abstract and paragraph 11).

As to claim 10, Macklin as modified teaches wherein (ii) comprises translating said translatable components in situ and (iii) comprises replacing said translatable components with said corresponding translated components (see Travieso et al., paragraphs 48, 82, and 89).

As to claim 11, Macklin as modified teaches wherein said structured file is an XML file and said structure definition file is an XML schema definition file identifying translatable elements and attributes in said XML file (see Macklin, figure 1).

As to claim 14, Macklin as modified does not expressly show wherein said structured file is an XML file, and said parser comprises a SAX parser for searching for said identifiers which identify each translatable component (see Travieso et al., paragraphs 56 and 82).

However these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. Is going to work on the same way with a Xml or HTML file. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F .2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F .3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use XML file for translation.

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As to claim 15, Macklin as modified teaches the system further comprising an extraction module for extracting said identified translatable components into an isolated file for interfacing with said translation unit (see Macklin, paragraph 54).

As to claim 19, Macklin as modified teaches wherein said structured file is an XML file, said structure definition file is an XML schema definition file, and said parser comprises a DOM parser (see Travieso et al., abstract and paragraphs 11, 46, and 49).

As to claim 20, Macklin as modified teaches wherein said translation module is configured to use said XML schema definition file and said DOM parser to identify said translatable components in said XML file, and to translate said translatable components in situ (see Travieso et al., paragraphs 46, 49, and 82).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Belix M. Ortiz whose telephone number is 571-272-4081. The examiner can normally be reached on Monday-Friday 9am-5pm.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

bmo

August 3, 2006



CHARLES RONES
SUPERVISORY PATENT EXAMINER